

REMARKS

This Amendment is filed in response to the Office Action dated August 18, 2006, which has a shortened statutory period set to expire November 18, 2006.

Applicant Addresses Objection To The Drawings

The Office Action objects to Figures 1-5 not being labeled as "prior art". Applicant respectfully traverses this objection with respect to Figure 5, which illustrates a pilot mask in accordance with one embodiment of the invention (see, e.g. paragraphs [0035] and [0045]). Figures 1-4, which are submitted herewith, have been labeled "Prior Art". Therefore, Applicant requests reconsideration and withdrawal of the objection to Figures 1-5.

Applicant Addresses Objection To The Specification

The Office Action objects to paragraph [0008] because of a grammatical error. Applicant has corrected this grammatical error. Therefore, Applicant requests reconsideration and withdrawal of the objection to the Specification.

Applicant Addresses Duplicate Claims Warning

The Office Action states that Claims 2 and 3 are duplicates or else are so close in content that they cover the same thing. Applicant respectfully traverses this characterization. Claim 2 recites in part, "wherein if a spur will coincide with a sub-channel", whereas Claim 3 recites in part, "wherein if a spur affects a sub-channel". As taught by Applicant with respect to Figure 4B, a spur can coincide with and/or affect pilots, data, and the shorts/longs in the preamble depending on its strength. Paragraph [0016]. Thus, for example, skirt 432 of spur 430 could be close enough to a pilot (e.g. the pilot to the right of

pilot 431) to affect its value even if skirt 432 does not coincide with (overlap) the pilot. Therefore, Applicant submits that Claims 2 and 3 have different breadth.

Claims 2 And 3 Are Definite

Applicant respectfully submits that the "if, then" limitations of Claims 2 and 3 are definite. Specifically, and in context, Claim 1 recites in part, "wherein each flag in the set of flags determines whether its associated sub-channel is usable for pilot tracking". Claims 2 and 3 provide definite limitations with respect to how this determination is made, i.e. whether the spur coincides with or affects a sub-channel. Therefore, Applicant requests reconsideration and withdrawal of the rejection of Claims 2 and 3.

Claims 1, 4, 5, And 6 Are Patentable

Figure 5 illustrates a pilot mask in accordance with one embodiment of the invention. See, e.g. paragraphs [0035] and [0045]. Because Figure 5 illustrates one embodiment of the invention, Figure 5 cannot be used to reject Applicant's claims. Therefore, Applicant requests reconsideration and withdrawal of the rejection of Claims 1, 4, 5, and 6.

CONCLUSION

Claims 1-6 are pending in the present application.
Allowance of these claims is respectfully requested.

If there are any questions, please telephone the
undersigned at 408-451-5907 to expedite prosecution of this
case.

Respectfully submitted,



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